

31042-13.JVD.265343/ Group Art Unit 3643

**REMARKS**

Reconsideration of the present application is respectfully requested.

The amendments presented in this document were first transmitted by facsimile on May 29, 2003. However, it appears that these amendments were not considered in the Office Action mailed August 25, 2003. Consideration of the amendments and arguments presented herein is respectfully requested.

The objection to the drawings.

The Office Action objects to the drawings for not showing an equilateral triangle as included in claim 1. Applicants have amended claim 1 to remove the reference to an equilateral triangle. Therefore, the objection to the drawings is rendered moot.

The rejections under 35 U.S.C. §102

Claims 4-8, 19 and 21 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,349,711 issued to Perry et al.

With respect to claim 4, Applicants have amended claim 4 to remove the reference to a chamber, and to add a hammer for releasing compressed air into the first bore, the hammer being slidable within the third bore. Claim 4 as amended is patentably distinct from Perry and the other cited art. As one example, Perry discloses a head 54 that retracts and draws bolt 14 into an open position (Perry @ col. 3, lines 61-63). Located within the same bore (referring to FIG. 2) is a pin 32 that opens firing valve 30 and releases low pressure gas into firing chamber 12 (col. 4, lines 6-11). Thus, Perry places both the head for drawing the bolt assembly and also the firing valve for releasing compressed air into the same bore. In contrast, claim 4 includes a rod

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AMENDMENT AND RESPONSE

Serial No. 09/630,109

Attorney Docket No. 31042-13

Page 8 of 12

31042-13/JVD.265343/ Group Art Unit 3643

slidable within the second bore for actuating the bolt in a second bore, and a hammer for releasing compressed air slidable within a third bore. Lacking the elements of claim 4, Perry cannot be said to anticipate claim 4. Applicants respectfully request withdrawal of the rejection of claim 4 and all claims dependent thereon.

Claims 19 and 21 are allowable at least by being allowable upon an allowable independent claim.

With regards to claim 5, Perry lacks all the elements of claim 5 and therefore cannot anticipate claim 5. Claim 5 includes a pneumatic assembly having a first member slidably coupled to a second member, and a third member externally accessible and coupled to the bore. Perry lacks these features.

The Office Action refers to a pneumatic assembly having a first member (58) slidably coupled to a second member (54). Applicants respectfully disagree with this interpretation of Perry. Perry states that piston 58 is connected to head 54 via rod 56 (col. 3, lines 58-59). This connection between piston and head is a rigid connection: "accordingly as the piston 58 is driven backwards, the head 54 retracts . . . and draws the bolt assembly 14 into an open position" (col. 3, lines 61-63; also, FIG. 2). The mechanism described and shown in Perry must include rigid attachment of piston 58 to head 54. If this piston and head were slidably coupled, then driving of piston 58 would have no effect in at least one direction on head 54.

In the Office Action dated Oct. 23, 2002, the Examiner notes that "the removal of the screw allows the removal of the elements from the bore whether from one end or the other." Applicants respectfully disagree with this characterization of Perry. Assuming that the Examiner refers to the removal of the cover around the spring on the right of FIG. 2 (near the number "60"), a fair interpretation of Perry shows that even after removing this cover, elements 54 and

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AMENDMENT AND RESPONSE

Serial No. 09/630,109

Attorney Docket No. 31042-13

Page 9 of 12

31042-13 JVD.265343/ Group Art Unit 3613

58 still cannot be removed from the bore because of the presence of valve assembly 30. Valve 30 includes a static, outer casing held in place by a lower plug that establishes a fixed position for the casing in the bore. Indeed, if the casing were to move, Perry's firing mechanism (which relies on movement of pin 32 relative to the casing) would not work. Therefore, casing 30 remains in place after the cover is removed, and piston 58 and head 54 are trapped in the right side of bore 60. Removal of Perry's cover does not permit removal of the piston and head.

Lacking all the elements of claim 5, Perry cannot be said to anticipate claim 5.

Applicants respectfully request a withdrawal of the rejection of claim 5 and all claims dependent thereon.

Claims 6-8 were rejected as being anticipated by Perry. Claims 6-8 are allowable at least by being dependent upon an allowable independent claim.

The rejections under 35 U.S.C. § 103.

Claims 1, 3, 15, 16, and 18 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,967,133 to Gardner.

Applicants have amended claim 1 as shown herein. Amended claim 1 no longer refers to an equilateral triangle. Therefore, the objection to the drawings for not showing an equilateral triangle is rendered moot.

Claim 1 has been amended to include a bolt slidable within a first bore, a pressure regulator received within a second bore, a chamber defined within a third bore, and a slidable member received within the third bore which releases gas to the first bore. The combination of elements of claim 1 are not found in Gardner or any of the other cited references. Applicants respectfully request withdrawal of the rejection of claim 1 and all claims dependent thereon.

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AMENDMENT AND RESPONSE  
Serial No. 09/630,109  
Attorney Docket No. 31042-13  
Page 10 of 12

31042-13JVD,265343V Group Art Unit 3643

Claims 3, 15, 16, and 18 were rejected as being unpatentable over Gardner. These claims depend from claim 1, and are therefore allowable at least by being dependent upon an allowable independent claim.

Claim 17 was rejected under 35 U.S.C. § 103 as being unpatentable over Gardner in view of Perry. Claim 17 is dependent upon claim 1 and is allowable at least by being dependent upon an allowable independent claim.

Claim 20 was rejected under 35 U.S.C. § 103 as being unpatentable over Perry in view of Gardner. Claim 20 depends upon amended claim 4, and is therefore allowable at least by being dependent upon an allowable independent claim.

Claims 22 and 23 were rejected under 35 U.S.C. § 103 as being unpatentable over Perry in view of Lotuaco '736. Claims 22 and 23 are dependent upon claims 4 and 5, respectively. Claims 22 and 23 are therefore allowable at least by being dependent upon an allowable independent claim.

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**AMENDMENT AND RESPONSE**

Serial No. 09/630,109

Attorney Docket No. 31042-13

Page 11 of 12

31042-13.JVD.265343/ Group Art Unit 3643

**CLOSING**

Applicants have amended claims 1, 4, 15, 20, 21 and 22. Applicants respectfully request reexamination of pending claims 1, 3-8, and 15-23. The undersigned requests a telephonic interview with the Examiner, if the Examiner believes that such an interview would facilitate resolution of any outstanding issues.

Respectfully submitted

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AMENDMENT AND RESPONSE

Serial No. 09/630,109

Attorney Docket No. 31042-13

Page 12 of 12